

**Notice of Allowability**

Application No.

09/965,797

Applicant(s)

SONE, TOSHIHIRO

Examiner

Cheukfan Lee

Art Unit

2622

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to an application for patent filed October 1, 2001.
2. ☒ The allowed claim(s) is/are 1-15, now renumbered 1-9, 11, 13, 10, 12, 14, and 15, respectively.
3. ☒ The drawings filed on 02 January 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

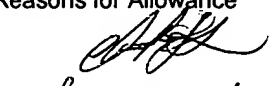
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 10/1/01
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_.
7. ☐ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

  
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1. All pending claims 1-15 are allowed. Claims 1, 8 and 14 and are independent.

2. The following is an examiner's statement of reasons for allowance:

Independent claims 1, 8 and 14 are allowable over the prior art of record. Claims 1, 8 and 14 each require that a first reference level generation mechanism be provided at a predetermined position on the moving mechanism which moves the mirror set, along the object to be read, and allows the CCD sensor to generate a first reference level output without reference to optical intensity of the illumination light emitted from the light source which illuminates the object, in combination with the second reference level generation mechanism which generates reflected light when illuminated by the light source. These limitations in combination with other limitations of claims 1, 8 or 14 are not taught by the prior art of record.

Claims 2-7 depend upon claim 1. Claims 9-13 depend on claim 8. Claim 15 depends upon claim 14.

The closest prior art reference Sakakibara et al. (U.S. Patent No. 5,206,501), cited below, teaches placing three filters (16), one at a time, between the lens (8) and the CCD (9) to generate intermediate reference signals, the filters having different transmittance and the same spectral characteristic (col. 5, lines 3-27). However, Sakakibara et al. does not teach the features of the first reference level generation mechanism and the second reference level generation mechanism.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sakakibara et al. (U.S. Patent No. 5,206,501), cited below, teaches placing three filters (16), one at a time, between the lens (8) and the CCD (9), the filters having different transmittance and the same spectral characteristic (col. 5, lines 3-27).

Ohtsu (U.S. Patent No. 5,970,181) discloses an image scanning apparatus with a shading correction function.

Hashizume (U.S. Patent No. 6,771,397) discloses an image reader used in an image forming apparatus.

Ozawa (U.S. Patent No. 6,430,378) discloses an image forming apparatus with a lamp burn-out detection (2 and 3 in Fig. 3).

Arimoto et al. (U.S. Patent No. 5,371,613) discloses an image reading apparatus employing first and second standard members having even standard density but placed at different positions.

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4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheukfan Lee whose telephone number is (703) 305-4867. The examiner can normally be reached on 9:30 a.m. to 6:00 p.m., Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (703) 305-4712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Cheukfan Lee  
March 18, 2005

  
*Cheukfan Lee*